

DOUGLAS E. LUMISH (Bar No. 183863)  
dlumish@kasowitz.com  
JEFFREY G. HOMRIG (Bar No. 215890)  
jhomrig@kasowitz.com  
JOSEPH H. LEE (Bar No. 248046)  
jlee@kasowitz.com  
L. OKEY ONYEJEKWE JR. (Bar No. 250354)  
oonyejekwe@kasowitz.com  
JOSEPH B. SHEAR (Bar No. 262222)  
jshear@kasowitz.com  
Kasowitz, Benson, Torres & Friedman LLP  
101 California Street, Suite 2300  
San Francisco, California 94111  
Telephone (415) 421-6140  
Facsimile (415) 398-5030  
  
STEVEN D. CHIN (*pro hac vice*)  
schin@kasowitz.com  
Kasowitz, Benson, Torres & Friedman LLP  
1633 Broadway  
New York, New York 10019  
Telephone (212) 506-1907  
Facsimile (212) 500-3407

ANTHONY DE ALCUAZ (SBN: 65599)  
adealcuaz@mwe.com  
PHILIP OU (SBN: 259896)  
pou@mwe.com  
McDermott Will & Emery LLP  
275 Middlefield Road, Suite 100  
Menlo Park, CA 94025 4004  
Telephone: (650) 815-7400  
Facsimile: (650) 815-7401  
  
JOEL M. FREED  
jfreed@mwe.com  
ALEXANDER OTT (*pro hac vice*)  
aott@mwe.com  
McDermott Will & Emery LLP  
600 13th Street, N.W., 12th Floor  
Washington, D.C. 20005-3096  
Telephone: (202) 756-8000  
Facsimile: (202) 756-8087

Attorneys for Defendant/Counterclaim Plaintiff  
MotionPoint Corporation

Attorneys for Plaintiffs/Counterclaim  
Defendants TransPerfect Global, Inc.,  
TransPerfect Translations International, Inc.,  
and Translations.com, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

TRANSPERFECT GLOBAL, INC.,  
TRANSPERFECT TRANSLATIONS  
INTERNATIONAL, INC., AND  
TRANSLATIONS.COM, INC.,

Plaintiffs/Counterclaim  
Defendants,

v.

MOTIONPOINT CORPORATION,

Defendant/Counterclaim  
Plaintiffs.

Case No. CV 10-02590 CW

ELECTRONIC CASE FILING

**JOINT STIPULATION AND  
[PROPOSED] ORDER GRANTING  
LEAVE TO AMEND AND  
MODIFYING THE CASE SCHEDULE  
AND DISCOVERY LIMITS**

Judge: Hon. Claudia Wilken

1 Plaintiffs and Counterclaim Defendants TransPerfect Global, Inc., TransPerfect  
 2 Translations International, Inc., and Translations.com, Inc. (collectively “TransPerfect”) and  
 3 Defendant and Counterclaim Plaintiff MotionPoint Corporation (“MotionPoint”) hereby jointly  
 4 stipulate and move the Court to grant leave for certain amendments, set certain filing and hearing  
 5 dates, and modify certain discovery limits.

6 On September 22, 2011 TransPerfect filed a motion for leave to amend its invalidity  
 7 contentions. On September 23, 2011 TransPerfect filed a Complaint in the Northern District of  
 8 California asserting infringement of U.S. Patent No. 6,857,022 (the Scanlan patent) by  
 9 MotionPoint. The parties have met and conferred and request that the Court enter the following  
 10 Order:

11 TransPerfect shall file and serve by October 13, 2011 a Second Amended Complaint for  
 12 the sole purpose of incorporating into this action the claims from its September 23, 2011  
 13 Complaint.

14 TransPerfect shall serve the amended invalidity contentions proposed in its September 22,  
 15 2011 motion.

16 The parties shall serve amended infringement contentions by December 15, 2011.

17 The parties will each have 150 hours for depositions, not including the depositions of  
 18 expert witnesses.

19 The parties also request that the Court enter the following schedule:

Event or Filing	Joint Proposed Dates
TransPerfect to File Second Amended Complaint	October 13, 2011
Infringement Contentions for Scanlan Patent (PLR 3-1 and 3-2) and Amended Infringement Contentions for MotionPoint and Lakritz patents.	December 15, 2011
Invalidity Contentions for Scanlan Patent (PLR 3-3 and 3-4)	February 2, 2012
Exchange of Proposed Terms for Construction (PLR 4-1)	February 16, 2012
Exchange of Preliminary Claim Constructions and Extrinsic Evidence (PLR 4-2)	March 9, 2012
Advice of Counsel (PLR 3-7)	March 22, 2012
Joint Claim Construction and Prehearing Statement (PLR 4-3)	April 5, 2012

1) Fact Discovery Deadline	April 26, 2012
2) Parties to Designate Experts	
Opening Expert Reports	May 24, 2012
Rebuttal Expert Reports	June 21, 2012
Expert Discovery Deadline	July 5, 2012
Opening Briefs on dispositive motions for all claims and counterclaims and on claim construction due	July 26, 2012
Response Briefs due	August 9, 2012
Reply Briefs due	August 23, 2012
1) All case-dispositive motions to be heard at 2:00 P.M.	September 6, 2012
2) Case Management Conference	
Final Pretrial Conference at 2:00 P.M.	November 20, 2012
10 day Jury Trial will begin at 8:30 A.M.	December 3, 2012

Dated: October 7, 2011

McDERMOTT WILL & EMERY LLP

/s/ Alexander Ott

ANTHONY DE ALCUAZ (SBN: 65599)

PHILIP OU (SBN: 259896)

JOEL M. FREED

ALEXANDER OTT (*pro hac vice*)

*Attorneys for Defendant/Counterclaim Plaintiff  
MotionPoint Corporation*

Dated: October 7, 2011

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

/s/ Douglas E. Lumish

DOUGLAS E. LUMISH (Bar No. 183863)

JEFFREY G. HOMRIG (Bar No. 215890)

JOSEPH H. LEE (Bar No. 248046)

L. OKEY ONYEJEKWE JR. (Bar No. 250354)

JOSEPH B. SHEAR (Bar No. 262222)

STEVEN D. CHIN (*pro hac vice*)

*Attorneys for Plaintiffs/Counterclaim Defendants  
TransPerfect Global, Inc.; TransPerfect Translations  
International, Inc.; and Translations.com, Inc.*

JOINT STIPULATION AND [PROPOSED]  
ORDER GRANTING LEAVE TO AMEND AND  
MODIFYING THE CASE SCHEDULE

1 I hereby attest pursuant to General Order 45.X.B. that concurrence in the electronic  
2 filing of this document has been obtained from the other signatories.

3  
4 Dated: October 7, 2011

/s/ Alexander Ott \_\_\_\_\_  
[Name of Filer]